

ORDINANCE 04-32

**AN ORDINANCE OF THE TOWN OF WESTFIELD FOR
EXTENSION OF THE WATER AND SEWER MAINS AND FACILITIES
OF THE WESTFIELD DEPARTMENT OF PUBLIC WORKS**

WHEREAS, The Town of Westfield, Hamilton County, State of Indiana (the "Town") is governed by a duly elected town council (the "Town Council"); and

WHEREAS, the Town operates a water utility and a sewer utility by and through the Town's Department of Public Works (the "Department");

WHEREAS, the Town Council desires to support and encourage economic development in areas that can be served by the Town's water and sewer utilities by making water and sewer service available to areas in which such services do not presently exist; and

WHEREAS, the Town Council desires to extend the Town's water and sewer mains and facilities and to recoup extension costs associated therewith.

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL
THAT:**

Section 1. The Town Council hereby establishes a policy to extend water and sewer mains and facilities, without an extension agreement from landowners or developers and at the Town's initial expense, to undeveloped areas in which the Town has authority to serve. An ordinance for each extension shall be approved by the Town Council and shall set forth subsequent connector fees established by the Town Council applicable to such extension, which shall be charged and collected in accordance with this Ordinance and the ordinance authorizing the extension to which a subscriber subsequently connects.

Section 2. Town Council hereby authorizes the Department to charge subsequent connector fees to subscribers that connect to extensions made under this Ordinance and the ordinance authorizing the extension to which the subscriber connects, in addition to other fees and charges collected by the Department. The Department shall adopt policies that uniformly apply to the collection of the subsequent connector fees. Subsequent connector fees shall not be reduced or waived without approval by the Town Council after positive, negative or no recommendation by the Department.

Section 3. Proceeds from subsequent connector fees shall be considered payment toward the cost of construction of the mains and facilities.

Section 4. The actions of the Town staff working under this Ordinance are to be deemed in conformity with Town policy.

Section 5. Any current Town policy in effect contrary to this Ordinance shall be deemed void. Any portion of this Ordinance that may be later deemed invalid shall not effect the remaining provisions.

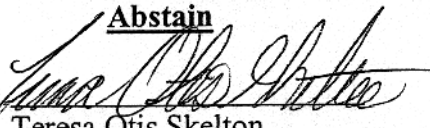
Section 6. This Ordinance shall be in full force and effect in accordance with Indiana law, upon its passage by the Town Council, its publication in accordance with Indiana law, and upon the passage of any applicable waiting period, all as provided by the laws of the State of Indiana. All ordinances or parts thereof that are in conflict herewith are hereby ordered repealed.

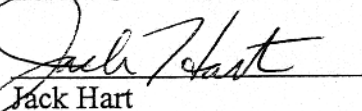
ADOPTED THIS 11 DAY OF Oct, 2004, BY THE WESTFIELD
TOWN COUNCIL, HAMILTON COUNTY, INDIANA

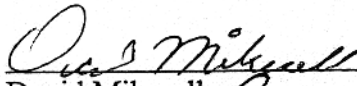
WESTFIELD TOWN COUNCIL

Voting For


Abstain


Teresa Otis Skelton


Jack Hart


David Mikesell


Bob Smith


Ron Thomas

Voting Against

Teresa Otis Skelton

Jack Hart

David Mikesell

Bob Smith

Ron Thomas

Teresa Otis Skelton

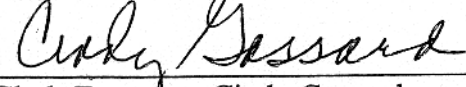
Jack Hart

David Mikesell

Bob Smith

Ron Thomas

ATTEST:


Clerk-Treasurer, Cindy Gossard

This Ordinance prepared by
Jerry Rosenberger, Town Manager